

# State of South Dakota

SEVENTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2002

400H0685

## SENATE BILL NO. 170

Introduced by: Senators Daugaard and Everist and Representatives Van Etten, Heineman,  
and Solum

1 FOR AN ACT ENTITLED, An Act to repeal a provision that requires foster parents to care for  
2 a child for not less than two years before the foster parent is a primary consideration for  
3 adoption of the child.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 26-6-21.1 be repealed.

6 ~~— 26-6-21.1. Any foster parents licensed by the Department of Social Services who have, for~~  
7 ~~the period of not less than two years, cared for any child eligible for adoption shall have the right~~  
8 ~~to apply for the adoption of the child under their care and the foster parents, if they are eligible~~  
9 ~~under existing law to adopt, shall have primary consideration for the adoption of the child.~~  
10 ~~Nothing in this section shall prohibit foster parents from applying for adoption of a child.~~

